



Human Resource Services **POLICY RESOURCES**

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Applies to:	Marshall University
Title:	Employment of Students with F-1 Visas
Number:	MU-HR-24
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Marshall University complies with rules and regulations of the U.S. Department of Homeland Security and the Office of Citizenship and Immigration Services. International students holding F-1 student non-immigrant visa status employed by Marshall University (the University) must not work more than twenty (20) hours per week while classes are in session unless authorized for full-time or part-time Curricular Practical Training. These students may work full-time during breaks and vacations (Fall Break, Spring Break, Christmas-New Year break, etc.) as long as they maintain status. They may be employed in more than one campus department but, the total weekly hours must not exceed twenty, except for the possible hour's exception set forth below. On-campus employment must either be performed on University premises or at an off-campus location which is educationally affiliated with the University. It is important to note that the primary purpose of F-1 international students being at the University is to obtain an education.

Other Types of Employment Benefit Programs Associated with F-1 Student Visa Status:

Curricular Practical Training (CPT): CPT must be an integral part of the student's academic program for which credit must be received. The student must have an offer of employment from an employer offering work that qualifies as curricular practical training. Students taking CPT must have been registered full-time for one academic year and be in good academic standing. CPT is authorized and endorsement on page 3 of Form I-20 issued by the University's Designated School Official (DSO) (and acting on behalf of the University) and must be directly related to the student's major field of study. The student is limited to twenty hours per week if the DSO endorsement on page 3 of Form I-20 denotes part-time CPT and forty hours per week if the endorsement on page 3 of the I-20 states full-time CPT.

Optional Practical Training (OPT): OPT is designed to give students the chance to further their education by gaining practical training. OPT is authorized by an Employment Authorization Document (EAD) approved by United States Citizenship and Immigration Services and has a twelve month limit. The student must not work until the EAD has been received. Optional Practical Training is defined in the regulations as "temporary employment for practical training directly related to the student's major area of study." [8 C.F.R. § 214.2(f)(10)(ii)]. Optional Practical Training can be authorized at the following time:

During the student's annual vacation and at other times when school is not in session if the student is currently enrolled and eligible, and intends, to register for the next term or session:

While school is in session, provided that it does not exceed 20 hours per week while school is in session. There are two exceptions to this rule as listed in the NAFSA Adviser's Manual 2003 Release Practice Note Page 3-129: Exception 1 – full-time during vacation periods; On-campus employment may be full-time during vacation periods for students who are eligible and intend to register for the subsequent academic term. Exception 2- Students eligible for "special student relief" can be approved by the DSO to work full-time. Under the current wording of the regulations, the hours engaged in on-campus

employment under 8 C.F.R. § 214.2(f)(9)(i) do not effect eligibility for employment under other provisions such as practical training, economic necessity, or international organization employment.

After completion of all course requirements for the degree, excluding thesis or equivalent, if the student is in a bachelor's, master's, or doctoral degree program; or after completion of the course of study. In this case, a student will not be registered for classes.

Severe Economic Hardship: This type of employment is based on severe hardship beyond the student's control and requires an EAD (Employment Authorization Document) Card. The student must not work until the EAD Card has been received. The student must be registered full-time and be in good academic standing for a period of at least one academic year. Authorization is generally, but not always, granted for 12 months and the student may reapply each year until graduation. Work hours are limited to twenty per week while school is in session unless noted on the EAD card under special circumstances and fulltime when school is not in session. The student must make an effort to gain on campus employment before taking off-campus employment.

Special Relief Program

Students authorized under the Special Student Relief Program can be authorized by the DSO for work for more than 20 hours per week even while school is in session, either on-campus under 8 C.F.R. § 214.2(f)(9)(i), or off-campus under 8 C.F.R. § 214.2(f)(9)(ii).

The basis for this policy is Title 8 of Code of Federal Regulations, Part 214.2(f)(9 and 10).

The information above is a basic outline of the legal ways in which an international student may be legally employed. The information only covers the most common types of employment authorization for international students and is not meant to be a comprehensive summary. This information does not include special relief types of employment programs that may be initiated and authorized by the United States Citizenship and Immigration Services Bureau of the Department of Homeland Security. Comprehensive regulations can be found in Title 8 of the Code of Federal Regulations or by consulting the Director of the International Students and Scholars Program in the Center for International Programs, Old Main Room 320.

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